

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

THE STATE OF TENNESSEE <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:21-cv-308
)	Judge Charles E. Atchley, Jr.
UNITED STATES DEPARTMENT)	Magistrate Judge Debra C. Poplin
OF EDUCATION <i>et al.</i> ,)	
)	
Defendants.)	
)	

JOINT STATUS REPORT

Pursuant to the Court’s October 15, 2024 Order, Doc. No. 169, the parties respectfully submit this joint status report to notify the Court of the resolution of the appeal of the final judgment in *Texas v. McMahon*, No. 4:23-cv-604 (N.D. Tex.) (“Texas Litigation”).¹ The case before this Court initially involved a challenge by the Plaintiff States to a Notice of Interpretation, Dear Educator Letter, and Fact Sheet issued by the Department of Education.² *See generally* Doc. No. 1. This Court issued a preliminary injunction on July 15, 2022, and stayed the case on November 3, 2022, while Defendants appealed that injunction to the United States Court of Appeals for the Sixth Circuit. After the Sixth Circuit affirmed the injunction and remanded the case, this Court ordered the parties to notify the Court within 14 days of the resolution of the appeal in the Texas Litigation, which had vacated the

¹ The Northern District of Texas case was previously styled *Texas v. Cardona*. The official capacity defendants that no longer hold office were automatically substituted for their successors pursuant to Federal Rule of Civil Procedure 25(d).

² The Fact Sheet was jointly issued with the Civil Rights Division of the Department of Justice. *See* Doc. No. 1 ¶ 64. This case also originally challenged a Technical Assistance Document issued by the Equal Employment Opportunity Commission. The Court dismissed the Plaintiff States’ claims as to that document as moot after a different court vacated that Technical Assistance Document. Doc. No. 169.

same Title IX guidance documents the Plaintiff States challenged in this case. *See* Doc. No. 169. As this Court has previously recognized, if the Department of Education did not obtain appellate relief from the vacatur of the underlying Title IX guidance documents in the Texas Litigation, the States' claims in this case seeking identical relief would become moot. *See* Doc. No. 163 at 2–4.

On April 23, 2025, the Fifth Circuit dismissed the federal government's appeal in the Texas Litigation pursuant to a joint motion of the parties in that action. *See* Doc. No. 55-2, *Texas v. McMahon*, No. 24-10910 (6th Cir. Apr. 23, 2025). That dismissal means that the Northern District of Texas's final judgment vacating the documents challenged here is not subject to further appellate review. The parties thus agree that the remaining claims in this case are moot, and respectfully request that the Court dismiss this action.

Dated: May 7, 2025

Respectfully submitted,

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***Admitted Pro Hac Vice**

****Pro Hac Vice Application Pending or
Forthcoming**